

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

UNITED STATES OF AMERICA	)	
	)	
v.	)	No. 2:08-CR-16
	)	
GARY MOORE	)	

**ORDER**

This criminal case is before the court on the magistrate judge's report and recommendation that the defendant's motion to suppress evidence be denied [doc. 63]. No objections to the report and recommendation have been filed within the time allowed, and the report and recommendation is ripe for the court's consideration.

Under 28 U.S.C. § 636(b), a *de novo* review by the district court of a magistrate judge's report and recommendation is both statutorily and constitutionally required. See *United States v. Shami*, 754 F.2d 670, 672 (6th Cir. 1985). However, it is necessary only to review "those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b); see also *United States v. Campbell*, 261 F.3d 628, 631-32 (6<sup>th</sup> Cir. 2001).

The court has reviewed *de novo* the defendant's motion to suppress evidence [doc. 56], the transcript of the suppression hearing [doc. 87], and the report and recommendation, and agrees with the magistrate judge's findings of fact and conclusions. The court **ADOPTS** the report and recommendation in its entirety, and the defendant's motion to suppress evidence is **DENIED**.

ENTER:

s/ Leon Jordan  
United States District Judge